

MINUTES
BOARD OF TRUSTEES MEETING
Laidlaw Center Board Room
Wednesday, April 18, 2012
2:00 p.m.



CALL TO ORDER Chair Steve Adelstein officially called the meeting to order at 2:02 p.m. Present were trustees Barbara Rofkar, Chuck Robinson, and Tim Douglas, constituting a quorum. Trustee Sue Cole was absent. Others present were President Hiyane-Brown; Ron Leatherbarrow, Vice President for Instruction; Patricia Onion, Vice President for Educational Services; Nate Langstraat, Interim Vice President for Administrative Services; Anne Bowen, Executive Director for Advancement and Foundation; Lisa Wochos, Assistant Attorney General; Wayne Erickson, WCCFT Co-President; John O'Neill, WSFE Representative; Laura Hansen, ASWCC President; guests: Ed Harri and Cynthia Hoskins; and Keri Parriera, Executive Assistant to the President.

ACTION TO ACCEPT AGENDA ➔ Trustee Tim Douglas moved to amend the order of the Board Meeting agenda by moving the Executive Session to the position after Item IV. Consent Agenda. It was seconded by Trustee Barbara Rofkar and the **motion was approved.**

STRATEGIC DISCUSSIONS ➔ Learning Opportunities: Professional Development at Whatcom Community College (*Goal 2 Strengthen the Culture of Learning: Promote professional development for faculty and staff*)—Ron Leatherbarrow, Cynthia Hoskins and Keri Parriera, Professional Development Committee; Ed Harri, Professional Advisory Committee

- A PowerPoint presentation outlining the history and significance of professional development for faculty and staff at WCC was shared with the Board. Ed Harri presented on the newly implemented full-time promotion and tenure process that has a strong professional development component.

CONSENT AGENDA ➔ Consent Agenda (Calendar)

- a. Minutes of March 14, 2012 Board of Trustees Meeting (Attachment A)
- b. Slate of Winter Quarter Graduates (Attachment B)

Chair Adelstein stated: "If there are no objections, these items will be adopted." As there were no objections, **these items were adopted.**

ACTION TO REVISE AGENDA ➔ At the request of Vice President Trish Onion, Trustee Tim Douglas moved to amend the order of the Board Meeting agenda to move the ASWCC Report prior to the adjournment to an Executive Session to accommodate student class attendance. The motion was seconded by Trustee Chuck Robinson and the **motion was approved.**

REPORT ➔ **ASWCC** – Laura Hansen, President

- Ms. Hansen reported that ASWCC elections will begin this week.
- The ASWCC will be hosting Secretary of State Sam Reed and County Auditor Debbie Adelstein tomorrow at 9:30 am in the Syre Center. This event was organized by Executive Council member Stephanie Young.
- The Council is diligently working on the ASWCC budget which will be presented to

**EXECUTIVE
SESSION**

- the Board of Trustees at a future meeting.
- Students are celebrating Earth Week and conducted a garbage audit today.

➔ The meeting was adjourned at 2:40 p.m. and the meeting immediately convened into a closed Executive Session at 2:40 pm for approximately 30 minutes to consider the selection of a site or the acquisition of real estate by lease or purchase as provided for by RCW 42.30.110 (1). Trustee Adelstein recused himself from the executive session. Guests included AAG Lisa Wochos; President Kathi Hiyane-Brown; Nate Langstraat, Interim Vice President for Administrative Services; Brain Keeley, Director of Physical Campus Development; and Anne Bowen, Executive Director of Advancement.

At 3:10 pm the Executive Session as extended for approximately 20 minutes.

➔ The Executive Session adjourned at 3:30pm and the Board reconvened into open session at 3:30 p.m. As Board Chair Steve Adelstein had recused himself from the Executive Session topic on real estate, Vice Chair Barbara Rofkar assumed the role of Board Chair.

ACTION

➔ Trustee Tim Douglas presented a motion to sign a Memorandum of Understanding with the WCC Foundation which states the College's intent to enter into a lease arrangement for a future site for a Health Professions Facility. The motion was seconded by Trustee Chuck Robinson. Trustee Adelstein announced his abstention from the vote. A vote was called and the **motion passed unanimously**.

Following the completion of the Action, Trustee Adelstein resumed his position as Board Chair.

ACTION

➔ **TAB A – WCC Policy Revisions/Deletions (2nd reading, action)**

a) *Policy 1020 Statement of Educational Values.*

Trustee Tim Douglas moved to delete this policy as proposed. The motion was seconded by Trustee Barbara Rofkar and the motion was approved unanimously.

b) *Policy 1023 Affirmation of Inclusion.*

Trustee Barbara Rofkar moved to delete this policy as proposed. The motion was seconded by Trustee Tim Douglas and the motion was approved unanimously.

c) *Policy 4010 Affirmative Action/Fair Employment Practices.*

Trustee Tim Douglas moved to retain this policy as proposed with revised text to comply with federal and state requirements. The motion was seconded by Trustee Chuck Robinson and the motion was approved unanimously. New Policy organizational structure number 403 will be assigned to this policy.

d) *Policy 1025 Regional Planning Agreement between WCC & BTC.*

Trustee Tim Douglas moved to postpone action on this item until the Board receives additional information. It was seconded by Trustee Barbara Rofkar, and action on Policy 1025 was postponed.

e) *Policy 1060 Membership in Organizations.*

Trustee Barbara Rofkar moved to delete this policy as proposed. The motion was seconded by Trustee Tim Douglas and the motion was approved unanimously.

f) *Policy 1070 Commercial Activities Policy.*

Trustee Chuck Robinson moved to retain this policy as proposed with revised text to bring it into compliance with current federal and state requirements. The

motion was seconded by Trustee Barbara Rofkar and the motion was approved unanimously. New Policy organizational structure number 222 will be assigned to this policy.

g) Policy 1100 Safety.

Trustee Tim Douglas moved to retain this policy as proposed with revised text to bring it into compliance with current federal and state requirements. The motion was seconded by Trustee Chuck Robinson and the motion was approved unanimously. New Policy organizational structure number 410 will be assigned to this policy.

h) Policy 1170 Conflict of Interest.

Trustee Chuck Robinson moved to retain this policy with proposed revisions to bring it into current compliance with federal and state regulations, and also to correct the reference of "Chapter 42.50 RCW" to read "Chapter 42.52 RCW". The motion was seconded by Trustee Tim Douglas and the motion was approved unanimously. New Policy organizational structure number 408 will be assigned to this policy.

i) Policy 1185 Ownership of Intellectual Property.

Trustee Tim Douglas moved to delete this policy as proposed. The motion was seconded by Trustee Chuck Robinson and the motion was approved unanimously.

j) Policy 1188 Equipment Use Policy.

Trustee Chuck Robinson moved to retain this policy with proposed revisions to bring it into compliance with current federal and state requirements. The motion was seconded by Trustee Barbara Rofkar and the motion was approved unanimously. New Policy organizational structure number 426 will be assigned to this policy.

k) Policy 2180 Use of College Facilities Policy. No action taken as this was an information item to the Board on the progress of revisions to date.

➔ Trustee Barbara Rofkar excused herself from the Board meeting at this point in the meeting.

➔ **TAB B – Alternative Financing Request (1st reading, possible action)**

*Trustee Chuck Robinson moved to approve the College's request to submit an Alternative Financing Request to the State Board for Community and Technical Colleges in order to pursue the option of COP financing for capital projects related to a Health Professions Building and an expanded Student Recreation Center for the biennial budget 2013-2015. It was seconded by Trustee Tim Douglas **and the motion was approved unanimously** after an informational discussion led by Nate Langstraat.*

PRESIDENT'S REPORT

➔ President Kathi acknowledged with thanks, Trish Onion's Lean Efficiencies panel presentation at the Spring Association conference. It was well received.

➔ The President shared the overall appreciation of the approved legislative state budget that was recently passed. However, the College will still face a base budget allocation of 5% less than from a year ago. The development of the College operating budget is proceeding.

➔ President Kathi reported that the Hill Group, a consultant organization working for the State Board to analysis system-wide efficiency options, was recently on the WCC campus to meet with the Executive Cabinet. The Hill Group will provide preliminary

recommendations to the State Board to help develop the third-year response report to the legislature as required by ESSB 6359.

- ➔ President Hiyane-Brown shared that WCC will be involved with two regional health care events.
 - A healthcare job search event with BTC, Skagit and Whatcom focusing on professional development for students. This is a collaborative effort sponsored by a DOL grant.
 - A healthcare summit, current in the planning phase with PeaceHealth and Whatcom Alliance for Healthcare Access (WAHA). President Kathi is a new member on WAHA board. The outcome of the summit is to identify emerging health professions that may not be identified at this time, and well as connect with healthcare professionals. Additionally, Whatcom is exploring possible collaboration opportunities with WWU and their new BSN program.
- ➔ President Kathi reported that she and several other community college presidents and trustees are working together to secure a state visit from General Eric "Rick" Shinseki, the 7th United States Secretary of Veterans Affairs. It is proposed that the General would address and meet our veteran students and we will showcase Washington's community college best practices for veterans. This would be the first state-wide event of this kind to recognize our veterans. A significant challenge is the General's schedule.
- ➔ President Kathi shared that the Whatcom is updating the College's Campus Master Plan for facilities. This will be an agenda item at the Board's trustee retreat in the summer. The architectural firm selected for this assignment is from Seattle and is a firm familiar with these projects for community colleges.
- ➔ President Kathi advised the Board that she will be attending the AACC convention in Orlando, Florida later this week and will be presenting a Spotlight session. The session shares significant leadership competencies that build upon diverse perspectives and multicultural approaches. Kathi also serves on the AACC Commission on Academic, Student, and Community Development and will be attending that meeting.
- ➔ President Hiyane-Brown congratulated Trustee Steve Adelstein on the reconfirmation of his trustee appointment by the state senate. Trustees were encouraged to write letters to the Governor's Office in support for Trustee Rofkar's reappointment as a trustee for Whatcom. The College is hopeful that all of our trustee reappointments will be confirmed in the next legislative session.
- ➔ **WCCFT – Wayne Erickson and/or Kimberly Reeves, Co-Presidents**
 - Wayne Erickson reported that faculty union negotiations are continuing with the administration and are going "ok." He shared that Social Science area retirements are a concern of the faculty and it is their hope that the board and administration will prioritize tenured-track faculty recruitments in that discipline.
 - Wayne shared that there is also concern by the faculty regarding the discussions on the 3% salary cut from the classified staff. Administration shared that this is a mandate from a legislated house bill that requires 3% cut in personnel costs, but that is specifically directs cuts from classified staff only. All employment categories are affected by the bill, but not directly affecting their wages. It was also pointed out that this cut was negotiated and approved by the classified union members. More information on implementation of these cuts and the budget process will be forthcoming in the next few weeks.

- ➔ **WFSE – John O’Neill, Representative**
 - John O’Neill had nothing to add in addition to his written report.
- ➔ **Administrative Services – Nate Langstraat, Interim Vice President**
 - Nate Langstraat had nothing to add in addition to his written report.
- ➔ **Educational Services – Trish Onion, Vice President**
 - Trish Onion reported that the Service Learning Fair, held yesterday on our campus, was a great success
- ➔ **Instruction Office – Ron Leatherbarrow, Vice President**
 - Ron Leatherbarrow had nothing to add in addition to his written report.
- ➔ **WCC Foundation – Anne Bowen, Executive Director for Advancement**
 - Anne Bowen reported that the Advancement Office is putting together WCC 45Th anniversary to commence in May. More will be shared as events are finalized.

**TACTC AND
DISCUSSION
ITEMS OF THE
BOARD**

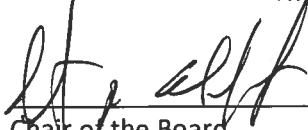
- ➔ Trustee Douglas reported on the SAI points and a recommendation that this achievement points be shifted to the completion stage instead of the beginning classes. A report on this initiative should be available by September. Trustee Tim shared that the June 24-26 Spring TACTC Conference will address this initiative as well as the GISS process.
- ➔ Trustee Douglas reported that he may be on the search committee for new State Board Director, as Director Charlie Earl has announced his retirement.
- ➔ The State Board is reviewing tuition increases for next budget session at their May Board meeting.
- ➔ ACCT Leadership Congress in Boston, October 10-13, *Leveraging Student Success through Partnerships, Innovation and Evidence* was discussed. Trustees are to advise Keri if they wish to attend. Trustee Douglas indicated that he will be attending.
- ➔ The proposed date for the Board retreat (August 14-16) was no longer available for several trustees. Keri was asked to poll the Board to identify alternate dates.
- ➔ The next meeting of the Board of Trustees on May 9 is a Work Session. The start time has been changed to 12:30, beginning with lunch.

PUBLIC COMMENT

- ➔ Chair Adelstein called for public comment. Since there was none, the meeting continued.

ADJOURNMENT

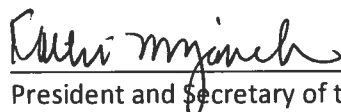
There being no further business, the meeting was adjourned at 4:55 pm.



Chair of the Board

5-7-12

Date



President and Secretary of the Board

5-9-12

Date

Memorandum of Understanding

Between

WHATCOM COMMUNITY COLLEGE and WHATCOM COMMUNITY COLLEGE FOUNDATION

This memorandum of understanding is not intended to enlarge, reduce or change in any way those current written agreements between Whatcom Community College (WCC) and the Whatcom Community College Foundation (WCCF or WCC Foundation), the Parties.

Both the WCC Board of Trustees and Board of Directors for the WCC Foundation exist for the sole purpose of furthering the mission of Whatcom Community College. This memorandum of understanding affirms each entity's commitment to secure a lease agreement of additional property to be developed and/or used as a future WCC Health Professions Center.

To that end, both entities understand and support the following expectations:

- 1) WCCF agrees to proceed to enter into a Lease (the "Lease") as lessee contracting with another person(s) or entity for the use of mutually agreed upon property/ building site for a future Health Professions Center facility (the "Facility"). The mutually agreed property and Lease terms shall be determined through consultation between the Parties prior to execution of the Lease.
- 2) WCC agrees to sublease the mutually agreed upon property/building site from WCCF per a Sublease (the "Sublease"). Such a commitment may require more than one renewable lease depending upon relevant state rules and regulations. The mutually agreeable price and Sublease terms between the Parties shall, at minimum, equal WCCF's master lease payments and cover costs associated with maintenance, repair, tenant improvements, as well as all other direct and indirect expenses associated with the lease arrangement.
- 3) WCC will hold the primary sublease from WCCF and may make any use of the Facility which does not violate or threaten WCCF's "not-for-profit" status; including sub-leasing and remodeling any part of the Facility, so long as those changes meet state law and local code requirements. "Primary" as the term is defined within this section shall mean that WCC will lease more of the available square footage than other sublessees.
- 4) The WCC Board of Trustees, in accordance with relevant state policies or laws, may at any time during the Sublease of the Facility or site coordinate the purchase of the entire Facility or site with WCCF for a predetermined amount which is agreed upon and stated within the Sublease terms.
- 5) As long as WCC is the primary Sublessee of the building and leasing under the original Sublease including renewals, WCC will manage the building. In the event that WCCF, in the future after the expiration of the original Sublease including renewal terms, plans to transfer a leasehold interest in or ownership of the Facility to another person(s) or entity, Whatcom Community College must be offered right of first refusal relative to such lease or purchase opportunity within relevant state policy and law.

As signatory representatives of this memorandum of understanding, all parties agree to the expectations set forth and will in good faith uphold them.

Whatcom
COMMUNITY COLLEGE

By Barbara Rofkora
Steve Adelstein, WCC Board of Trustees, Chair
BARBARA ROFKORA
Date 4/18/2012

Approved as to form:

By Lisa Wochos
Lisa Wochos, Assistant Attorney General
Date 4-18-12

Whatcom
COMMUNITY COLLEGE
FOUNDATION

By Lynne Masland
Lynne Masland, WCC Foundation Chair
Date April 13, 2012

| | |
|--------------------------------|-----------------------|
| TITLE: | Commercial Activities |
| NUMBER: | 222 (Replaces 1070) |
| APPROVED BY BOARD OF TRUSTEES: | 12/8/1987 |
| AMENDED BY BOARD OF TRUSTEES: | 04/18/2012 |

Whatcom Community College is a public, higher education institution that contributes to the vitality of its communities by providing quality education in academic transfer, professional technical, and lifelong learning, preparing students for active citizenship in a global society.

In support of the College's mission it is often necessary to engage in commercial activities that provide goods, services or facilities that meet special needs of students, faculty, staff and members of the public participating in College activities and events. The College shall comply with chapter 28B.63 RCW, which establishes standards for colleges to follow in conducting commercial activities. (RCW 28B.63.010)

Whatcom Community College may engage in the providing of goods, services, or facilities to individuals, groups or external agencies for a fee only when such are directly and substantially related to the educational mission of the College. Fees charged for goods, services and facilities shall reflect full direct and indirect costs, including overhead. They shall also take into account the price of such items in the private marketplace.

Recognizing that the central purpose of the College is providing instruction, research, and community service, this policy does not apply to charges for instruction in its regular, evening, or non-credit education programs; services provided in the practicum aspects of its instructional and service programs; or services for fees in its extracurricular or student services programs, including food services, athletic and recreational programs, and the performing arts program.

Educational commercial activities shall be established and carried on only pursuant to fulfilling College-related purposes. Such activities will be monitored by the College president or a designee.

Criteria for Commercial Activities Serving Members of the Campus Community

Each of the following criteria shall be used in assessing the validity of providing goods, services or facilities to members of the campus community, including students, faculty, staff and invited guests:

- (a) The goods, services or facilities are substantially and directly related to the mission of the College.
- (b) Provision of the goods, services or facilities on campus represents a special convenience to the campus community or facilitates extracurricular activities.
- (c) Fees charged for the goods, services or facilities shall take into account the full direct and indirect costs, including overhead.
- (d) Procedures adequate to the circumstances shall be observed to ensure that the goods, services or facilities are provided only to persons who are students, faculty, staff, or invited guests.

Criteria for Providing Commercial Activities to the External Community

- (a) The goods, services or facilities provided represent a resource which is substantially and directly related to the mission of the College and which is not commonly available or otherwise easily accessible in the private marketplace and for which there is a demand from the external community
- (b) Fees charged for the goods, services, or facilities shall take into account the full direct and indirect costs, including overhead. They shall also reflect the price of such items in the private marketplace.

Review and Approval Procedures

The President shall be responsible for the approval of new commercial activities. It shall be the responsibility of the Vice President of Administrative Services to assure that each commercial activity meets the criteria established for commercial activities of the College. Proposals for new or altered services shall be reviewed by the applicable vice president and approved by the President prior to implementation.

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| TITLE: | Affirmative Action/Fair Employment Practices |
| NUMBER: | 403 (Replaces old 4010) |
| APPROVED BY BOARD OF TRUSTEES: | 3/10/81 |
| AMENDED BY BOARD OF TRUSTEES: | 4/18/12; 6/13/07 |

Whatcom Community College is an equal opportunity employer and complies with federal and state laws specifically requiring that the College does not discriminate on the basis of race, color, national origin, religion, sex, disability, honorably discharged veteran or military status, sexual orientation, genetic information or age in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies: Director for Human Resources, 237 W. Kellogg Road, Bellingham, WA 98226, 360.383.3400. For Title IX compliance, contact: Vice President for Educational Services, 237 W. Kellogg Road, Bellingham, WA 98226, 360.383.3070. WCC publications are available in alternate formats upon request by contacting the Disability Support Services Office at 360.383.3080; VP 360.255.7182.

This policy does not require that the College employ or promote unqualified persons, but it does require that the College eliminate any standards or criteria which have the effect of excluding qualified persons in the categories mentioned in the first paragraph unless it is demonstrated that such standards or criteria are bona fide conditions of successful performance in particular positions involved.

Whatcom Community College is committed to maintaining an environment in which every member of the College community feels welcome to participate in the life of the College, free from harassment and discrimination. Toward that end, faculty, students and staff will:

- Treat one another with respect and dignity;
- Promote a learning and working community that ensures social justice, understanding, civility and non-violence in a safe and supportive climate;
- Influence curriculum, teaching strategies, student services and personnel practices that facilitate sensitivity and openness to diverse ideas, peoples and cultures in a creative, safe and collegial environment.

In accordance with the Revised Code of Washington (RCW) 41.06.150 and the Washington State Executive Order on Diversity the administration of the College is charged with the responsibility of formulating, adopting, and implementing an affirmative action plan promoting affirmative action and equal employment opportunity in recruitment, appointment, promotion, transfer, training and career development. The plan will include, but not be limited to, the identification of relevant minorities, minimum goals of employment, and related personnel policies.

It is the obligation of all members of the College community to assist in providing equal employment opportunity and in achieving the goals of this policy.

The Affirmative Action Plan as adopted by Whatcom Community College shall be used for employment procedures. The Washington Law Against Discrimination (WLAD) RCW 49.60; Chapter 2.60.00 in the SBCTC's (State Board for Community and Technical College) Policy Manual, ADA, Title VI and VII of the Civil Rights Act of 1964, ESHB 2661 and all law and regulations affecting state employees, shall apply to employees at Whatcom Community College.

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| TITLE: | Conflict of Interest |
| NUMBER: | 408 (Replaces 1170) |
| APPROVED BY BOARD OF TRUSTEES: | 12/10/91 |
| AMENDED BY BOARD OF TRUSTEES: | 04/18/2012 |

I. INTRODUCTION

Based on Ethics in Public Service Act RCW 42.52, this policy seeks to establish essential restrictions against real or perceived conflicts of interest while keeping barriers to the recruitment and retention of needed personnel to a minimum.

No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

II. PURPOSES

The primary purposes of the Ethics in Public Service Act are to prevent conflicts of interest that impair the impartial and independent judgment of state officers and employees and the misuse of state position for private gain. Conflicts of interest occur whenever a state officer or state employee:

- (a) Has a beneficial interest relating to a matter in which the officer or employee participated in an official capacity;
- (b) Accepts outside compensation for the performance or nonperformance of official duties; or
- (c) Accepts or seeks outside compensation from persons with whom they regulate or conduct state business.

A misuse of state position occurs whenever a state officer or employee:

- (a) Uses his or her official position to influence a contract award; or
- (b) Uses state resources to engage in private work that is not part of official duties.
 - 1. In accordance with WAC 282-110-010 Use of State Resources: The proper stewardship of state resources, including funds, facilities, tools, property, and employees and their time, is a responsibility that all state officers and employees share. Accordingly, state employees may not use state resources for personal benefit or gain or for the benefit or gain of other individuals or outside organizations. Responsibility and accountability for the appropriate use of state resources ultimately rests with the individual state officer or state employee, or with the state officer or state employee who authorizes such use. State officers and employees should ensure that any personal use of state resources permitted by this section is the most efficient in terms of overall time and resources.

III. EXAMPLES

Gifts

- (a) College employee may receive, accept, take, seek, or solicit, directly or indirectly, anything of economic value as a gift, gratuity, or favor from a person if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment of the employee, or be considered as part of a reward for action or inaction.
- (b) The term "gift" means anything of economic value for which no value is given in return. However, there are certain statutory exceptions, such as some items received from family or friends, co-worker exchanges, and expense reimbursements.

- (c) A Whatcom Community College employee may not solicit a gift for personal benefit from students, vendors, and/or individuals, organizations or companies that may transact business or have a relationship with the College currently or in the future.
- (d) Unsolicited gifts from vendors and other organizations having or seeking to have a relationship with the College that are received by a College employee are property of the College, as a general rule. The exceptions, generally, include certain unsolicited items, tokens of appreciation such as plaques and desk items, and minor promotional items with a total annual value of less than \$50.00. Questions about exceptions are to be directed through usual administrative channels to the appropriate vice president who will consult with the Vice President for Administrative Services before addressing the question.
- (e) Employees receiving gifts, other than the statutory exceptions, are to report the receipt of the gift to their supervisor in writing, ensuring that the gift is accepted by the College through the normal approval process. If accepted, the gift will be recorded in the College inventory (if required) and put in general use to benefit College programs and our students. Employees are to file a written record of receiving and disposing of the gift with their supervisor.

Use of State Resources for Personal Benefit

- (a) No College employee may employ or use any person, money, or property under the employee's official control or direction, or in his or her official custody, for the private benefit or gain of the employee or another. This does not prohibit the use of public resources to benefit others as part of an employee's public duties.
- (b) The Executive Ethics Board has adopted rules to cover occasional use by employees of property having de minimis costs and value. The rule permits an employee to make occasional but limited use of state resources for private benefit if:
 - a. there is little or no cost to the state;
 - b. any use is brief in duration, occurs infrequently, and is the most effective use of time or resources;
 - c. the use does not interfere with the performance of the employee's official duties;
 - d. the use does not disrupt or distract from the conduct of state business due to volume or frequency;
 - e. the use does not disrupt other state employees and does not obligate them to make a personal use of state resources; and
 - f. the use does not compromise the security or integrity of state property, information, or software.

Confidential Information

- (a) No College employee may
 - a. disclose confidential information to an unauthorized person;
 - b. disclose or use confidential information for personal benefit or to benefit another; or
 - c. accept employment or engage in business, if it might reasonably be expected to induce or require the disclosure of confidential information.

Compensation for Outside Activities

- (a) No College employee may receive anything of economic value under any contract or grant outside of his or her official duties if the contract or grant is related or appears to be related to the employee's official duties and responsibilities.
- (b) This provision is to prohibit outside employment or other financial arrangements that could have or could become a conflict, with the employee's ability to perform duties and responsibilities to achieve the best results for the College.

Honoraria

- (a) No College employee may receive honoraria unless specifically authorized by Whatcom Community College. Whatcom Community College may not authorize honoraria under the following circumstances;

- (b) The person or organization offering the honoraria is seeking, or is reasonably expected to seek, a contract with or a grant from the College or from a College employee and the employee receiving the honoraria is in a position to participate in the terms or award of the contract or grant; or
- (c) The person or organization offering the honoraria is seeking or opposing or is reasonably likely to seek or oppose enactment or adoption of administrative rules or actions, or policy changes by the College, and the employee receiving the honoraria may participate in this enactment or adoption.

Use of Public Resources for Political Campaigns

- (a) No College employee may use or authorize the use of facilities of the college, directly, or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Knowing acquiescence by a person with authority to direct, control, or influence the actions of the College employee using public resources in violation of this section constitutes a violation of this section. Facilities of the College include but are not limited to the use of stationary, postage, machines, and equipment, use of College employees during working hours, vehicles, office space, publications of the College, and clientele lists of persons served by the College.

Assisting in Transactions

- (a) No College employee may assist another person, directly or indirectly, whether or not for compensation, in a transaction involving the state in which the employee has at any time participated or if the transaction involving the state is or has been under the official responsibility of the employee within a period of two years preceding such assistance.

Financial Interest in Transactions

- (a) No College employee may be beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or is under the supervision of the employee, in whole or in part, or accept, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in the contract, sale, lease, purchase or grant. No employee may participate in a transaction involving the state in his or her official capacity with a person of which the employee is an officer, agent, employee, or member, or in which the employee owns a beneficial interest.
- (b) College employees may not participate in College decisions that benefit, or appear to benefit, the employee or any person or organization in which the employee has or appears to have a beneficial interest.

Post State Employment

- (a) State ethic laws contain several restrictions on former state employees. Any College employee considering leaving the college and seeking employment that may do business with the College or other state agency should carefully review this section of the ethics law.

IV. REFERENCES

Applicable law, standards of review - RCW 42.52.020 prohibits financial and other interests that conflict with official duties. RCW 42.52.030 prohibits financial and beneficial interests in transactions involving the state. RCW 42.52.030(2) provides alternate conflict of interest provisions related to research and technology transfer agreements at certain institutions of higher education. RCW 42.52.160(1) prohibits the use of state resources for private benefit or gain. RCW 42.52.120(1) prohibits compensation outside of official duties unless certain conditions are met. RCW 42.52.120(2) requires prior ethics board approval of noncompetitive contracts between state officers and employees and any state agency. RCW 42.52.120(3) requires that contracts approved by the board must also be filed with the ethics board within thirty days of execution.

Complete copies of these laws and regulations are available in the Human Resources Office.

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| TITLE: | Safety |
| NUMBER: | 410 (Replaces old 1100) |
| APPROVED BY BOARD OF TRUSTEES: | 12/13/88 |
| AMENDED BY BOARD OF TRUSTEES: | 04/18/2012 |

Every reasonable precaution will be taken to guard against accidents or injury and to protect students, employees, and others present on the Whatcom Community College campus or at events held on campus.

Employees and faculty will recognize and be observant of conditions that affect the health, safety and well-being of students in classes, on campus or in any other areas where campus patrons congregate. Such observed conditions shall be reported to their immediate supervisor. Safety awareness and education will be an integral part of employment at Whatcom.

The College will maintain and distribute safety procedures, be in compliance with applicable laws and hold regular meeting of the safety committee as regulated by WAC.

The College President will make the appointment of a safety officer.

References: WAC 246-366-140 Schools Safety; 296-800-313020 Safety Committee; 173-340-810 Worker Safety and Health; Clery Act.

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| TITLE: | Equipment Use |
| NUMBER: | 426 (Replaces 1188) |
| APPROVED BY BOARD OF TRUSTEES: | 12/10/96 |
| AMENDED BY BOARD OF TRUSTEES: | 04/18/2012 |

The College President may establish such procedures as he or she deems necessary in order to acquire, dispose, maintain, control, and responsibly use equipment and supplies owned or under the control of Whatcom Community College in conformance with applicable state and federal law.

Refer to WAC 292-110-010 and OFM Policy 30.40 and those succeeding these references.